

FILE COPY

STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

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IN THE MATTER OF THE APPLICATION	:	
FOR A REAL ESTATE SALESPERSON'S LICENSE	:	MEMORANDUM OF PREHEARING CONFERENCE
OF	:	AND PROPOSED ORDER
BARBARA J. WETZEL,	:	Case No. LS-9107301-REB
APPLICANT.	:	

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A Class I hearing in this matter was scheduled at 9 A.M. on August 13, 1991. A telephone prehearing conference was held on August 7, 1992, at which time Ms. Wetzel indicated that she would be unable to travel to Madison for the hearing on the 13th. In the discussion which followed, Ms. Wetzel sought clarification of the following language in the Board's order of May 31, 1991: "If applicant Wetzel completes any 27 hours of the 72-hour real estate salesperson course between April 27, 1991 and April 27, 1992, she may be issued a salesperson's license without re-examination." Ms. Wetzel indicated that if "may" meant "will" she would withdraw her request for a hearing and confirm that in writing to Mr. Howden. A date of September 11, 1991 at 9 A.M. was reserved in the event Ms. Wetzel did not withdraw her request for a hearing.

Mr. Howden sent an informal note to me on August 12, 1991 that he had informed Ms. Wetzel that the Board would interpret "may" as "will" or "shall." No written response was received from Ms. Wetzel, so a telephone prehearing conference was held on September 9, 1991 to review the need for a hearing on September 11. In that conference, Ms. Wetzel stated that she would not be available to attend the hearing on September 11, and that she would be pursuing her license by way of additional education credits.

Therefore, the hearing scheduled in this case is cancelled, and I propose the following order, which will become effective when signed on behalf of the Department of Regulation and Licensing:

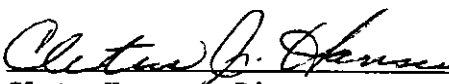
IT IS ORDERED that the applicant's request for a hearing appealing the Board's decision denying her application for a real estate salesperson's license be dismissed.

Dated September 9, 1991.

  
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John N. Schweitzer  
Administrative Law Judge

Approved and signed on behalf of the Department of Regulation and Licensing:

Dated: Sept 9, 1991.

  
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Clete Hansen, Director  
Bureau of Direct Licensing & Real Estate

c: Barbara J. Wetzel  
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